

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
:
-v- : 95 Cr. 942 (JPC)
RONALD OCASIO, : 20 Civ. 9733 (JPC)
Defendant. :
:
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ORDER

JOHN P. CRONAN, United States District Judge:

Pending before this Court is Ronald Ocasio's successive petition for habeas relief pursuant to 28 U.S.C. § 2255. *See* Dkt. 394.¹ On April 29, 2022, the Government submitted a letter brief, in which it represents that “[t]he Norris murder was not charged as a RICO predicate.” Dkt. 434 at 2; *see also id.* at 4 (“None of the charges in the federal indictment are predicated on the Norris murder.”). Yet the record appears to suggest that the murder of Carl Norris was one of the nine predicate acts charged by the Government in connection with the RICO counts brought against Ocasio. *See, e.g.*, Dkts. 108-113 (trial transcript) at 3511:1-9 (jury charge indicating that “[r]acketeering act 3 charges the defendant Ronald Ocasio with the murder of Carl Norris on October 21, 1990”); Dkt. 396, Exh. 1 (presentence investigation report) at 43 (referring to the murder of Carl Norris as “Racketeering Act Four”). No later than May 17, 2024, the Government shall clarify its position on whether the Norris murder was charged as a RICO predicate in the underlying criminal matter.

The Clerk of Court is respectfully directed to mail a copy of this order to the *pro se* petitioner.

SO ORDERED.

Dated: May 10, 2024
New York, New York


JOHN P. CRONAN
United States District Judge

¹ Docket citations refer to the docket in the underlying criminal matter, *United States v. Ronald Ocasio*, No. 95 Cr. 942 (JPC) (S.D.N.Y.).